



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

August 30, 2005

JAMES C. LYDON
100 DAINGERFIELD ROAD
SUITE 100
ALEXANDRIA, VA 22314
US

Dear Sir/Madam,

Your refund request for 10518402 in the amount of \$500.00 has been denied .

These funds were refunded to the credit card that they were charged on 5/24/05.

Sincerely,


RITA WHITE

PCT - National

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PATENT MAINTENANCE
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P.2

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Géraldine MARTIN et al.

Serial Number: 10/518,402

Filed: December 17, 2004

For: METHOD FOR COATING AN ARCHITECTURAL TEXTILE
WITH AT LEAST ONE LAYER OF A SILICONE ELASTOMER
USING AN AQUEOUS SILICONE EMULSION AND
AN ARCHITECTURAL TEXTILE WITH SUCH A COATING

ATTN: Refund Branch
Accounting Division
Office of Finance

REQUEST FOR REFUND PURSUANT TO 35 USC § 376

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 15, 2005

Sir:

The Patent Office is requested to refund \$500.00, and to credit the refund to our Deposit Account No. 50-1258. The facts supporting this Refund Request follow:

1. This application is a U.S. National Stage of International application PCT/FR03/50012.
2. The 2005 Consolidated Appropriations Act split the National fee for Patent Cooperation Treaty (PCT) applications entering the U.S. National Stage into a separate National fee, search fee and examination fee during fiscal years 2005 and 2006. These fees became effective December 8, 2004.
3. This application, except for the inventors' declaration, was filed on December 17, 2004. The then-current filing fees were paid at that time, specifically including a search fee of \$500.00.

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REQUEST FOR REFUND

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4. A PCT Search Report was provided to the Office at the time the search fee was paid (December 17, 2004).

5. The Patent Office revised its search and examination fees for PCT applications entering the National Stage in the United States on February 1, 2005. See "Revision of Search and Examination Fees for Patent Cooperation Treaty Applications Entering the National Stage in the United States," 70 Fed. Reg. 5053 (February 1, 2005) ("Interim Rule"). Importantly, the changes in the Interim Rule apply to all International applications entering the National Stage under 35 USC § 371 for which the basic National fee specified in 35 USC § 41 is paid on or after December 8, 2004.

6. The Interim Rule states the Office will refund \$100.00 (\$50.00 for small entities) if an International search report on the International application has been prepared and is provided to the Office no later than the time at which the search fee is paid.

7. The Patent Office has erroneously charged an additional \$400.00 against the undersigned's Deposit Account for payment of the National Stage search fee. A copy of the monthly Statement of Deposit Account dated May 31, 2005 is attached showing the erroneous charge.

ARGUMENT

This application satisfies the requirements set forth in the Interim Rule for refund of a portion of the search fee. More

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REQUEST FOR REFUND

PATENT

specifically, the applicants provided an International search report on the International application to the Office no later than the time at which the search fee had been paid.

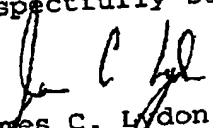
The Patent Office has erroneously charged second National Stage search fee of \$400.00 for this application. Accordingly, a total refund of \$500.00 ($\$100 + \$400 = \500.00) should be credited against the undersigned's Deposit Account.

ACTION REQUESTED

The Patent Office is requested to refund \$500.00 of the applicants' search fee to Deposit Account No. 50-1258.

It is not believed any fee is required for entry and consideration of this Refund Request. Nevertheless, the Commissioner is authorized to charge our Deposit Account No. 50-1258 in the amount of any such required fee.

Respectfully submitted,


James C. Lydon
Reg. No. 70,082

Atty. Docket No.: PLAS-028
100 Daingerfield Road, Suite 100
Alexandria, Virginia 22314
Telephone: (703) 838-0445
Facsimile: (703) 838-0447

Enclosure:

Monthly Statement of Deposit Account dated May 31, 2005

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FACSIMILE TRANSMITTAL SHEET

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2005 JUN 17 AM 9:30 JAMES C. LYDON
Attorney At Law
100 Daingerfield Road
Suite 100
703 Alexandria, VA 22314

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FACSIMILE OPERATOR TEL. NO.: (703) 838-0445
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TO: Refund Branch, Accounting Division, Office of Finance

FIRM: U.S. Patent and Trademark Office

FACSIMILE NO.: 1-703-872-9306

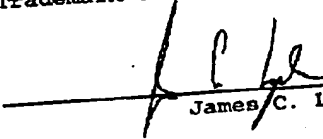
FROM: James C. Lydon

RE: Request for Refund
U.S. Patent Appln. S.N. 10/518,402
By: Géraldine MARTIN et al.
Attv. Case No.: PLAS-028

TOTAL PAGES: 5 including cover sheet.

DATE: June 15, 2005

I hereby certify that this paper is being
facsimile transmitted to the Patent and
Trademark Office on the date shown above.


James C. Lydon

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